

EXHIBIT “A”

STATE OF SOUTH CAROLINA
COUNTY OF SUMTER

Jimmy Joe Cooley

Plaintiff,

v.

PODS Enterprises, LLC,

Defendant.

IN THE COURT OF COMMON PLEAS
FOR THE THIRD JUDICIAL CIRCUIT

C/A No.

SUMMONS

You are hereby summoned and required to answer the Complaint herein, a copy of which is herewith served upon you, or otherwise appear and defend, and to serve a copy of your answer to said Complaint upon the subscriber at his office at Cavanaugh & Thickens, LLC, 1717 Marion Street, Columbia, South Carolina, 29201, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, or otherwise appear to defend, Plaintiff in this action will apply to the Court for the relief demanded therein, and judgment by default will be rendered against you for the relief demanded in the Complaint.

s/ Robert L. Brown

Robert L. Brown, SC Bar No. 73568
Cavanaugh & Thickens, LLC
1717 Marion Street (29201)
Post Office Box 2409
Columbia, SC 29202
Tel: (803) 888-2200
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Robb@ctlawsc.com

ATTORNEYS FOR PLAINTIFF

March 7, 2022
Columbia, South Carolina

STATE OF SOUTH CAROLINA
COUNTY OF SUMTER

Jimmy Joe Cooley

Plaintiff,

v.

PODS Enterprises, LLC,

Defendant.

IN THE COURT OF COMMON PLEAS
FOR THE THIRD JUDICIAL CIRCUIT

C/A No.

**COMPLAINT
(Jury Trial Demanded)**

The Plaintiff, complaining of the Defendant herein, alleges:

1. That the Plaintiff is a citizen and resident of the County of Lee, State of South Carolina.
2. The Defendant is a limited liability company organized and existing under the laws of Florida, and doing business in South Carolina.
3. That on or about February 11, 2021, the Plaintiff, Jimmy Joe Cooley, was operating a 2000 Ford F150 west on 378 in Sumter County, South Carolina.
4. At the same time and place, an agent/employee/permisive driver of PODS Enterprises, LLC, was operating a large commercial vehicle and crashed into the vehicle Plaintiff was operating, throwing the Plaintiff in and about the interior of said vehicle, thus causing him severe and painful bodily injuries and damaging his vehicle.
5. That as a result of the above, the Plaintiff suffered injuries in and about his body, all of which has and will cause him to undergo much physical pain and suffering, has and will cause him to have to spend money on medical services, has and will cause him to lose money in the nature of wages and earnings, has and will cause him mental anguish, has and will cause him to have to expend money to repair his vehicle.
6. That the Defendant, through its agent/employee/permisive driver, was willful, wanton, negligent, grossly negligent, careless and reckless in the following particulars, to-wit:
 - a) in failing to maintain a proper look-out;
 - b) in failing to keep his vehicle under proper control;
 - c) in driving too fast for conditions;
 - d) in failing to apply his brakes, if any he had;
 - e) in failing to yield the right of way;
 - f) in making an improper lane change;

- g) in failing to sound his horn;
- h) in failing to take evasive action of any kind to avoid the accident;
- i) in failing to use the degree of care and caution that a reasonable and prudent person would have used under the same or similar circumstances; and,
- j) such other particulars as the evidence at trial may show;

All of which were the direct and proximate cause of the injuries and damages suffered by the Plaintiff herein, said acts being in violation of the case and statute laws of the State of South Carolina.

7. That the Plaintiff is informed and believes he is entitled to judgment against the Defendant for actual damages in an amount to be determined by a jury; and an appropriate amount of punitive damages.

WHEREFORE, Plaintiff respectfully prays for judgment against the Defendant for all actual damages, special damages, consequential damages, and punitive damages in an amount to be determined by the jury at the trial of this action, the costs and disbursements of this action and for such other and further relief as this court deems just and proper.

The Plaintiff demands a jury trial.

Respectfully submitted,

s/ Robert L. Brown
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